SUBJECT: By-law to Permanently Close Valley Inn Road and Bridge (PW08098) - (Ward 1)

RECOMMENDATION:

(a) That the part of the road allowance, set out as:
   Valley Inn Road being part of Lot 85, Registered Plan 77 and part of unnamed street, Registered Plan 77, City of Hamilton is hereby permanently closed to vehicular traffic but not to pedestrian traffic, subject to the following:
   (i) That the said lands be kept open to pedestrians and cyclists and to be used generally for trail access and that utility and emergency vehicles have the ability to access the lower reaches of the valley by unlocking the barriers at the parking lot at the top of Valley Inn Road (Hamilton Side);
   (ii) That the General Manager of Public Works or his duly authorized agent is hereby authorized to erect barricades to enforce the due observance of the provisions of this by-law;

(b) That the City Solicitor be authorized and directed to prepare a by-law to permanently close the highway;

(c) That the appropriate by-law be introduced and enacted by Council;

(d) That the City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing the highway in the proper Land Registry Office;

(e) That the by-law permanently closing the highway does not take effect until a certified copy of the by-law is registered in the proper Land Registry Office;
(f) That the Public Works Department publish a notice pursuant to Section 34 of the Municipal Act 2001, S.O. 2001, c. 25, as amended, of the City’s intention to pass the by-law.

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Beth Goodger
Acting General Manager
Public Works

EXECUTIVE SUMMARY:

The City intends to permanently close the road allowance of Valley Inn Road and the bridge in conjunction with re-development of the Valley Inn area to a recreational/heritage area. A Municipal Class EA Schedule B was completed along with a Recreational/Heritage Design Report in October 2007. As the EA has now been completed, this department recommends that the road allowance be permanently closed. The bridge is a ‘municipal boundary bridge’ and the City of Burlington will be closing their side of the bridge as well. The bridge will continue to be maintained by the City of Hamilton. The costs will be shared with the City of Burlington. The Operations and Maintenance Division of the City of Hamilton were consulted as part of the environmental assessment process.

BACKGROUND:

The information/recommendations contained within this report primarily affects Ward 1. A Municipal Class Environmental Assessment for the Valley Inn Road bridge was completed in the spring of 2006. The recommendation of the study was to close the bridge to vehicular traffic and allow for pedestrians, cyclists, etc.

In addition to the EA staff committed to completing a recreational/heritage design to address such things as the waterfront trail, heritage features, design and character of the bridge, pedestrians/bicycles and the streetscape, landscaping, signage, lighting, public art and designs that integrate with the existing community. This recreational/heritage design was completed in October 2007.

In order to implement what has been proposed through these studies, it has been determined that a by-law needs to be enacted to close this road.

The City of Hamilton and the City of Burlington have both recognized that the Valley Inn Road Bridge is a ‘municipal boundary road’. Throughout the EA process the City of Burlington has been consulted in all aspects of this project. Since there is a municipal boundary jurisdiction in this case, both the City of Hamilton and the City of Burlington need to pass by-laws to address closure of the bridge.
ANALYSIS/RATIONALE:
A Schedule B, Municipal Class Environmental Assessment has been completed. This included a Notice of Study Commencement and Public Information Centres. A Public Information Centre was also held to present the design for the recreational/heritage area. Therefore, it is recommended that the preferred alternative be implemented by closure of Valley Inn Road and bridge to vehicular traffic.

ALTERNATIVES FOR CONSIDERATION:
The alternative would be not to close these lands as a public highway. This would prohibit the redevelopment of the Valley Inn area and the preferred alternative of the EA could not be implemented. If the road were to be kept open to vehicles, the structural problems of the bridge would have to be addressed for vehicle use and another Environmental Assessment would need to be completed.

This closure is in the City of Hamilton and City of Burlington’s best interest as this will allow for a trail area for pedestrians and cyclists.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
Financial
Sufficient funds for implementation of the road closure and the preferred design are available in the 2008 Capital Budget for Public Works (Project ID No. 4030418477).

POLICIES AFFECTING PROPOSAL:
Public Works Strategic Plan has been addressed with this project by greening our communities and enhancing a recreational area. Also, smart processes have been adhered to by being involved with the City of Burlington to achieve this project.

RELEVANT CONSULTATION:
During the Municipal Class EA a total of three Public Information Centres were held where the public and agencies were advised that the road would be closed. The proposed closure and improvements to the recreational area were widely accepted. A sign has been posted on the bridge to advise the public of the closure to vehicles. With respect to the details of the road closure both the Legal Services Division and the Operations and Maintenance Division have been consulted.

CITY STRATEGIC COMMITMENT:
By evaluating the “Triple Bottom Line”, (community, environment, and economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Opportunities for physical activity are supported and enhanced.
The road closure allows the bridge and Valley Inn Road area to become a recreational community which allows for an accessible area for physical activity and promotion of an overall recreational area.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Ecological function and the natural heritage system are protected.
The road closure will allow for minimal disruption to the environmental features in the area. A sustainable transportation network provides many options or people and goods movement; vehicle dependency is reduced.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Hamilton's high-quality environmental amenities are maintained and enhanced.

Local Economy - to promote Hamilton's environment as a desirable place to live and work. Land use - in the urban area, to use alternative modes of movement, such as walking, bicycling and public transit everyday.

Does the option you are recommending create value across all three bottom lines?  ☑ Yes ☐ No
The road closure addresses all three bottom lines. The road closure will cause minimal disruption to residents and the environmental area.

Do the options you are recommending make Hamilton a City of choice for high performance public servants?  ☑ Yes ☐ No
The recommendations of this report have no impact on the desired results of this commitment. (i.e. life long learning, supportive workplace)